

REMARKS

In the above-referenced Office Action, the Examiner rejected Claims 1-6, 10, and 12-15 under 35 U.S.C. 102(b) as being anticipated by Forster.

To support this rejection, the Examiner stated, "Forster discloses a device for securing a sealing member in a predetermined position comprising a positioning element 40 and a retaining element 42. The retaining element 42, is integrally formed as an annulus on a first surface of the positioning element (e.g. see Fig. 6). The retaining element has a bevel with a first end and second end. The retaining and positioning elements have equal inside diameters. The outside diameter (or the first end of the bevel) of the retaining element is smaller than the positioning element's and a radius is disposed tangent to the first end of the bevel and first surface. The bevel and first surface form a ledge. Forster discloses two positioning elements and two retaining elements (see Figs. 6,8, and 10). A spacer means 44 or 49 is provided between the two positioning and retaining elements. The spacer has a plurality (four) posts. The spacer, positioning elements, and retaining elements can be formed integrally as a single piece 51 (see Fig. 8). This unit would also comprising four posts separated by fluid ports 52 (similar to posts 44 and ports 47 in Fig. 6)."

This rejection is no longer believed to be appropriate in view of the amendment to independent claim 1 which now recites, "a bevel...said bevel form forming a ledge extending from a lower portion of said bevel to an outer edge of said at least one of said first surface and said second surface of said positioning element";. This limitation is not shown or made obvious from the cited reference. Therefore, the Examiner is respectfully requested to withdraw his rejection of Claims 1-6, 10, and 12-15 under 35 U.S.C. 102(b) as being anticipated by Forster.

Next, the Examiner rejected Claims 16-20 under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Forster.

In support of this rejection the Examiner stated, "Claims 16-21 are considered Jepson claims because of the phrase 'the improvement comprising.' Therefore, everything before that phrase is considered admitted prior art. Thus, Applicant has disclosed a known combination of a plurality of spool valve shells with a pressure release valve having a high pressure port, low pressure port, spool valve, check valve, and a reset spool. Applicant has not disclosed spool valve shells comprising two positioning element, two retaining elements, a spacer means, and a sealing member. Forster teaches spool valve shells for use with valves, spool and ports. Forster teaches a sealing member (o-ring) 30 disposed between two opposing positioning

elements 40 of two adjacent valve shells 23. Each shell has two positioning elements, two retaining elements 42 and a spacer means 44 (or 49). The retaining and positioning elements have equal inside diameters. The outside diameter of the retaining element is smaller than the positioning element's. Forster teaches that the shells effectively space and fix each sealing element while eliminating wear between the valve member and shell. Forster teaches that the retaining elements on the positioning elements serve to limit lateral movement of the sealing member and to maintain a relatively fixed friction between the spool and seal while preventing the seal from lifting off the spool or distorting. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the shells disclosed by the applicant with the shells taught by Forster to provide reduced wear, limited lateral movement of the seals, and effective sealing engagement of the seals even at high pressure.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Forster as applied to claim 20 above, and further in view of Applicant's admitted prior art (spec. page 1, lines 19-21).

Forster discloses a resilient seal, but does not specify the material. Applicant admits that using nitrile material for a seal provides a leak-proof seal. Therefore, it would have been

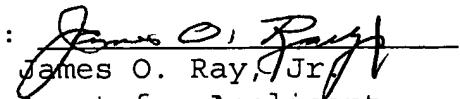
obvious for one of ordinary skill in the art at the time the invention was made to make the seal of nitrile to provide a leak-proof seal."

As with independent claim 1, independent claim 16 has been amended identical to claim 1. Accordingly, for the reasons discussed supra the Examiner is also requested to withdraw his rejection of Claims 16-20 under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Forster.

In view of the above amendments to the claims and the remarks associated therewith it is respectfully submitted that claims 1-21 are in condition for allowance and such allowance by the Examiner is respectfully requested.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412) 380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

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